

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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June 7, 2013

TO: Commissioners and Alternates

FROM: Lawrence Goldzband, Executive Director (415/352-3653 lgoldzband@bcdc.ca.gov)
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SUBJECT: Staff Update on Pending Legislation – AB 1273 The Pier 30-32 Revitalization Act
(For Commission consideration on June 20, 2013)

Summary

Assembly Bill 1273 (mailed on May 3, 2013) by Assembly Member Ting (San Francisco) was introduced on February 22, 2013 at the request of the Mayor of San Francisco and the Port of San Francisco to amend and update earlier state legislation for Piers 30-32 on the San Francisco waterfront, to set standards for consistency with the public trust doctrine and the Burton Act trust regarding a proposed development by the Golden State Warriors to rehabilitate the piers and construct a new multi-use venue and basketball arena, open space, maritime, retail and parking uses and construct other improvements on Seawall Lot 330. As currently drafted, the legislation would authorize the use of Piers 30-32 for the proposed multi-use venue project (subject to compliance with CEQA and other regulatory requirements) and satisfy requirements for findings of consistency with the public trust doctrine and the Burton Act if the Port Commission finds that the conditions set forth in the proposed bill are satisfied.

The Commission held a public hearing on AB 1273 on May 16, 2013 and directed BCDC staff to continue to work with staffs of the Port, the City of San Francisco and the State Lands Commission (SLC) to address the Commission's concerns, and amend the bill for Commission consideration on June 20, 2013. The staff has subsequently held ongoing meetings regarding AB 1273. The discussions have been frank and productive, although significant issues remain, and the staff will continue to meet with the applicants to address the Commission's concerns. A staff report and possible recommendation will be provided prior to the Commission's meeting.

Background

AB 1273 was introduced by Assemblymember Phil Ting on February 22, 2013 and has been amended twice (on March 21, 2013 and April 24, 2013) to address some of the issues raised by staff of the SLC and BCDC. The Commission sent the Legislature a letter stating the Commission's concerns on May 22, 2013 (mailed to Commission on May 24, 2012). The bill was approved by the State Assembly (59 ayes, 10 noes) on May 30, 2013, and was ordered to the Senate to be referred to Senate policy committee(s). AB 1273 has not been amended since the Commission's last public hearing.

A staff report and possible recommendation will be provided prior to the Commission's June 20, 2013 meeting in the event that the Commission wishes to take a position on AB 1273.

